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17 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

18 IN RE: UBER TECHNOLOGIES, INC.,
19 PASSENGER SEXUAL ASSAULT
20 LITIGATION

Case No. 3:23-md-03084-CRB

21 This Document Relates to:
22
DECLARATION OF MICHAEL B.
SHORTNACY IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS
CASES FOR FAILURE TO COMPLY WITH
PTO 10

23 Date: December 12, 2025
Time: 10:00 a.m.
Courtroom: 6 – 17th Floor

Baumgarner v. Uber Technologies, Inc.,
et al., No. 3:23-cv-05949-CRB

Grier v. Uber Technologies, Inc., et al.,
No. 3:23-cv-05960-CRB

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et al., No. 3:24-cv-00120-CRB

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2 *et al., No. 3:24-cv-00573-CRB*

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4 *al., No. 3:24-cv-01211-CRB*

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9 Technologies, Inc., et al., No. 3:25-cv-
10 04155-CRB*

11 *Brown v. Uber Technologies, Inc., et al.,
12 No. 3:25-cv-04371-CRB*

13 *Davis v. Uber Technologies, Inc., et al.,
14 No. 3:25-cv-04742-CRB*

15 *Moore v. Uber Technologies, Inc., et al.,
16 No. 3:25-cv-04803-CRB*

17 *Brandon v. Uber Technologies, Inc., et
18 al., No. 3:25-cv-04856-CRB*

19 *Jane Doe NLG-PL v. Uber Technologies,
20 Inc., et al., No. 3:25-cv-05014-CRB*

21 *Jane Doe NLG-PA v. Uber
22 Technologies, Inc., et al., No. 3:25-cv-
23 05096-CRB*

24 *Jane Doe NLG-YM v. Uber
25 Technologies, Inc., et al., No. 3:25-cv-
26 05109-CRB*

27 *Jane Doe NLG-MH v. Uber
28 Technologies, Inc., et al., No. 3:25-cv-
29 05163-CRB*

DECLARATION OF MICHAEL B. SHORTNACY

I, Michael B. Shortnacy, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Los Angeles, California. I respectfully submit this declaration in support of Defendants Uber Technologies, Inc.’s, Rasier, LLC’s, and Rasier-CA, LLC’s (collectively, “Defendants”) motion to dismiss the cases of certain Plaintiffs for noncompliance with Pretrial Order No. 10 (“PTO 10”).

2. I am a partner at the law firm of Shook, Hardy & Bacon L.L.P., representing Defendants in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188 (the “JCCP”). I am a member in good standing of the Bar of the State of California, the Bar of the District of Columbia, and the Bar of the State of New York. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. On December 28, 2023, this Court entered PTO 10 in this matter, requiring each Plaintiff to submit a “substantially complete” Plaintiff Fact Sheet (“PFS”) that “[i]nclude[d] a signed declaration” or verification that the PFS answers are true and correct. ECF No. 348 at 6-7. The Court also provided firm deadlines by which Plaintiffs must submit their PFS and supporting documents. *Id.* at 5-6.

4. On November 18, 2024, Magistrate Judge Cisneros expressly rejected Plaintiffs' position that PTO 10's verification requirement did not apply to amended PFS, and ordered Plaintiffs to submit verifications for any then-unverified PFS amendments within 30 days of the Court's Order, and, moving forward, "in conjunction with any further amendments." ECF No. 1877 at 3.

5. Attached to this declaration as **Exhibit A** is a table identifying 218 Plaintiffs who, as of the date of execution of this Declaration, have failed to submit a verification of their most recent amended PFS responses. The dates Plaintiffs filed their most recent PFS without the required verification are also identified in the table at Exhibit A.

6. On September 18, 2025, in an effort to secure compliance without intervention by the Court, Defendants' counsel sent a Notice of Deficiency to each of the 218 Plaintiffs, reminding them

of Plaintiffs' non-compliance with this Court's order to provide a verification of Plaintiffs' most recent amended PFS responses, but none of these Plaintiffs have subsequently submitted a verification or otherwise responded.

7. Separately, on September 9, 2025, this Court entered PTO 31, requiring ninety specifically identified Plaintiffs to, within thirty days of entry of PTO 31, “either (i) produce a bona fide ride receipt to Defendants via MDL Centrality, or (ii) serve a statement indicating that the Plaintiff is unable to locate the receipt, explaining in detail the reasonable efforts that have been undertaken by Plaintiff to search their email and the Uber app for the receipt, and explaining why Plaintiff has been unable to locate the receipt.” ECF No. 3877. As permitted by PTO 31, Uber identified a second batch of 213 Plaintiffs who were subject to PTO 31’s requirements and gave these Plaintiffs written notice; they were due to comply with PTO 31 by October 13, 2025. With those deadlines now passed, as of October 16, 2025 (giving Plaintiffs a four-day grace period beyond their October 12 deadline) only 74 out of 303 (or just over 24% of) Plaintiffs subject to PTO 31 have complied with this Order of the Court.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 20, 2025 in Los Angeles, California.

SHOOK, HARDY & BACON L.L.P.

/s/ Michael B. Shortnacy

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